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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/942,846	08/31/2001	Shinichi Tanaka	2001-1228A	8531

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EXAMINER

AU, SCOTT D

ART UNIT PAPER NUMBER

2635

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/942,846

Applicant(s)

TANAKA, SHINICHI

Examiner

Scott Au

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

The application of Tanaka for a "Security system" filed August 31, 2001 has been examined.

Claims 1-15 are pending.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract filed on August 31, 2001 uses the phrase "the present invention" and word "means" which should be avoided. It does not comply with the guidelines.

Claim Rejections - 35 USC § 112

Claims 2-13 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Referring to claim 2, "a second unlocking control means and a second locking control means" is confusing and unclear because claim 2, which is an independent, and is not claiming a first unlocking or a first locking control means. Examiner treats as "an unlocking control means and a locking control means".

Referring to claim 3, "a second unlocking control means and a third locking control means" is confusing and unclear because claim 3, which is a dependent of claim 2, and claim 2 is not claiming a first unlocking or a first locking control means. Examiner treats as "an unlocking control means and a locking control means".

Referring to claim 4, "a fourth locking control means" is confusing and unclear because claim 4, which is an independent, and is not claiming a first to third locking control means. Examiner treats as "a locking control means".

Referring to claim 5, "a third unlocking control means, a fifth locking control means and a second closing detecting means" is confusing and unclear because claim 5, which is an independent, and is not claiming a first and second unlocking control means, a first to fourth locking control means and a first closing detecting means. Examiner treats as "an unlocking control means, a locking control means and closing detecting means".

Referring to claim 6, "a third unlocking control means, a sixth locking control means and a second opening detecting means" is confusing and unclear because claim 5, which is an independent, and is not claiming a first and second unlocking control means, a first to fifth locking control means and a first opening detecting means. Examiner treats as "an unlocking control means, a locking control means and opening detecting means".

Referring to claims 7 and 9, "a second unlocking control means and a seventh locking control means" is confusing and unclear because claim 7, which is an independent, and is not claiming a first unlocking control means and a first to sixth locking control means. Examiner treats as "an unlocking control means and a locking control means".

Referring to claims 8 and 10, "a second unlocking control means and a eighth locking control means" is confusing and unclear because claim 8, which is an independent, and is not claiming a first unlocking control means and a first to seventh locking control means. Examiner treats as "an unlocking control means and a locking control means".

Referring to claim 11, "a tenth locking control means" is confusing and unclear because claim 11, which is an independent, and is not claiming a first to ninth locking control means. Examiner treats as "a locking control means".

Regarding claims 12 and 13, the phrase "such as" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Regarding claims 12 and 13, the phrase "or the like" renders the claim(s) indefinite because the claim(s) include(s) elements not actually disclosed (those encompassed by "or the like", thereby rendering the scope of the claim(s) unascertainable. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1- 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Kulha et al. (US# 5,973,611).

Referring to claims 1,5,7 and 11, Kulha et al. disclose a security system, which is introduced into a vehicle or a building having one or more doors, comprising:

a receiving means (28) (i.e. a receiver and see step 86) to receive a prescribed remote control signal (i.e. ID signal) and/or a capturing means to capture an emergency signal (col. 3 lines 34-39 and col. 5 lines 60-63; see Figure 8A);

a first unlocking control means (i.e. steps 94 and 100) to make a locking mechanism or locking mechanisms to one or more doors in the unlocked state, when the receiving means (28) (i.e. a receiver and step 86) receives the prescribed remote control signal (i.e. ID signal) or the capturing means captures the emergency signal (col. 5 lines 60-63; see Figure 8A);

a first closing detecting means (18) (i.e. see step 124) to detect the closing of a door (col. 6 lines 1-18 and col. 7 lines 10-15; see Figures 1 and 8A); and

“a first locking control means to make the unlocked locking mechanism or mechanisms in the locked state, when the door is opened after the door or doors are unlocked by the first unlocking control means, and then the closing of the opened door is detected by the first closing detecting means.”

Examiner interprets and treats the claim in the following manner.

- (A.) Door or doors are unlocked by the first unlocking control means (see steps 94 and 100 of Figure 8A).
- (B.) Closing detecting means detecting closing of the opened door (see step 124 of Figure 9A).

- (C.) Locking control means to make the unlocked locking mechanism or mechanisms in the locked state (see steps 134-136 of Figure 9A) (col. 6 line 36 to col. 7 line 38).

Referring to claims 4 and 6, Kulha et al. disclose a security system, to the extent as claimed with respect to claim 1 above, and the system further comprising:
an opening detecting means (i.e. step 108) to detect the opening of a door; and

“a locking control means to make the unlocked locking mechanism or mechanisms in the locked state, when the opening of the door is detected by the opening detecting means after the door or doors are unlocked by the unlocking control means;”
wherein the locking mechanism or mechanisms are self-locking mechanisms (col. 6 lines 36-50).

Examiner interprets and treats the claim in the following manner.

- (A.) Door or doors are unlocked by the unlocking control means (i.e. steps 94 and 100).
- (B.) Opening detecting means detecting opening of the opened door (i.e. step 118).
- (C.) Locking control means to make the unlocked locking mechanism or mechanisms in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 9, Kulha et al. disclose a security system according to claim 7, comprising: a second closing detecting means to detect the closing of a prescribed door; and a locking control means to make the locking mechanisms to the closed doors in the locked state, when the prescribed door is opened after the doors are unlocked by the unlocking control means, and then the closing of the opened prescribed door is detected by the second closing detecting means.

Examiner interprets and treats the claim in the following manner.

- (A.) Door or doors are unlocked by the unlocking control means (i.e. steps 94 and 100).
- (B.) Door is opened (i.e. step 118).
- (C.) Closing detecting means detecting closing of the opened door (i.e. step 124).
- (D.) Locking control means to make the locking mechanisms to the closed door in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 2, Kulha et al. disclose a security system, which is introduced into a vehicle or a building having at least two or more doors, comprising:

a receiving means (28) (i.e. a receiver and see step 86) to receive a prescribed remote control signal (i.e. ID signal) and/or a capturing means to capture an emergency signal (col. 3 lines 34-39 and col. 5 lines 60-63; see Figure 8A);
an unlocking control means (i.e. steps 94 and 100) to make locking mechanisms to at least two or more doors in the unlocked state, when the receiving means (28) (i.e. a

receiver and step 86) receives the prescribed remote control signal (i.e. ID signal) or the capturing means captures the emergency signal (col. 5 lines 60-63; see Figure 8A); an opening detecting means (i.e. step 118) to detect the opening of a door; and

"a locking control means to make the locking mechanism to the door the opening of which is detected in the locked state, when the opening of the door is detected by the opening detecting means after the doors are unlocked by the unlocking control means."

Examiner interprets and treats the claim in the following manner.

- (A.) Doors are unlocked by the unlocking control means (i.e. steps 94 and 100).
- (B.) Opening detecting means detecting opening of the door (i.e. step 118).
- (C.) Locking control means to make the locking mechanism to the door in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 3, Kulha et al. disclose a security system according to claim 2, comprising:

a closing detecting means to detect the closing of a door (i.e. step 124); and
a locking control means to make the locking mechanism to the door the closing of which is detected in the locked state, when the door is opened after the doors are unlocked by the unlocking control means, and then the closing of the opened door is detected by the closing detecting means.

Examiner interprets and treats the claim in the following manner.

- (A.) Doors are unlocked by the unlocking control means (i.e. steps 94 and 100).
- (B.) Door is opened (i.e. step 118).
- (C.) Closing detecting means detecting closing of the opened door (i.e. step 124)
- (D.) Locking control means to make the locking mechanism to the door the closing of which is detected in the locked state (i.e. steps 134-136) (col. 6 line 36 to col. 7 line 38; see Figures 8A, 8B and 9A).

Referring to claim 8, Kulha et al. disclose a security system, to the extent as claimed with respect to claim 2 above. Kulha et al. disclose wherein the locking mechanisms are self-locking mechanisms (col. 6 lines 36-50).

Referring to claim 10, Kulha et al. disclose a security system according to claim 8, comprising:
a closing detecting means to detect the closing of a prescribed door (see step 124 of Figure 9A); and

“a locking control means to make the locking mechanisms to the closed doors in the locked state, when the prescribed door is opened after the doors are unlocked by the unlocking control means, and then the closing of the opened prescribed door is detected by the closing detecting means.”

Examiner interprets and treats the claim in the following manner.

- (A.) Door or doors are unlocked by the unlocking control means (see steps 94 and 100 of Figure 8A).
- (B.) Closing detecting means detecting closing of the opened door (see step 124 of Figure 9A).
- (C.) Locking control means to make the unlocked locking mechanisms to be closed doors in the locked state (see steps 134-136 of Figure 9A) (col. 6 line 36 to col. 7 line 38).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kulha et al. (US# 5,973,611) as applied to claim 1 above, and further in view of Drori (US# 5,157,375).

Referring to claim 12, Kulha et al. disclose a security system of claim 1. However, Kulha et al. did not explicitly disclose a first actuation control means to

actuate prescribed functions when the receiving means receives the prescribed remote control signal or the capturing means captures the emergency signal;

wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization such as the police, an alarm sound generating function using a horn or the like, a hazard warning signal flasher flashing function, and a lighting/flashing function of prescribed lamps.

In the same field of endeavor of multi-featured electronic vehicle security system, Drori teaches a first actuation control means (70) (i.e. a controller) to actuate prescribed functions when the receiving means (65) (i.e. a receiver) receives the prescribed remote control signal or the capturing means captures the emergency signal;

wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization such as the police, an alarm sound generating function using a horn or the like, a hazard warning signal flasher flashing function, and a lighting/flashing function of prescribed lamps (col. 4 line 19 to col. 5 line 7; see Figure 1) in order to secure the vehicle when a controller (70) received signal through receiver (65) to control the elements of (90).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time of invention was made to include a first actuation control means to actuate prescribed functions when the receiving means receives the prescribed remote control signal or the capturing means captures the emergency signal;

wherein the prescribed functions include at least one among a window closing function, an engine starting function, a call function to an emergency organization such as the

police, an alarm sound generating function using a horn or the like, a hazard warning signal flasher flashing function, and a lighting/flashing function of prescribed lamps of system disclosed by Drori into system of Kulha et al. with the motivation for doing so would allow the vehicle system is secured when a control means received a secured signal.

Referring to claim 14, Kulha et al. in view of Drori disclose a security system according to claim 12, Drori discloses wherein the prescribed lamps include at least one among a head lamp, a tail lamp, a front fog lamp, a rear fog lamp, a dome lamp, and a map lamp (col. 5 lines 1-7; see Figure 1).

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and 15 are
Claim 13 ^{and 15 are} is rejected under 35 U.S.C. 103(a) as being unpatentable over Kulha et al. (US# 5,973,611) in view of Drori (US# 5,157,375):

Referring to claim 13, Kulha et al. in view of Drori disclose a security system in claims 1 and 12, claim 13 equivalent to that the combine of claims 1 and 12 addressed above, incorporated herein. Therefore, claim 13 is rejected for the same reasons given with respect to claims 1 and 12 combined.

Referring to claim 15, Kulha et al. in view of Drori disclose a security system in claim 13, claim 15 is equivalent to that of claim 14 addressed above, incorporated

herein. Therefore, claim 15 is rejected for same reasons given with respected to claim 14.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hirano (US# 4,737,784) discloses keyless entry system for automotive vehicle devices with weak-battery alarm.

Flick (US# 6,480,117) discloses vehicle control system including token verification and code reset features for electrically connected token.

Anzai et al. (US# 6,271,745) disclose keyless user identification and authorization system for a motor vehicle.

Any inquiry concerning this communication or earlier communications form the examiner should be directed to Scott Au whose telephone number is (703) 305-4680. The examiner can normally be reached on Mon-Fri, 8:30AM – 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached at (703) 305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are (703)-872-9314 for regular communications and (703)-872-9315 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-3900.

Scott Au

November 20, 2003

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

A handwritten signature in black ink, appearing to read "Michael Horabik", written over the printed name and title.